

AMENDMENTS TO THE DRAWINGS:

The attached two sheets of drawings include changes to Figs. 3 and 4. These sheets, which include Figs. 3 and 4, replace the original two sheets.

Each of Figs. 3 and 4 is designated by a legend --Prior Art-- as suggested by the Examiner.

Attachment: Replacement Sheets

REMARKS

I. Status of the Application

Claims 1-12 are pending in the application. Claims 1, 9 and 10 are independent. Claims 1 and 9-12 have been amended. No new matter has been added by this Amendment. Support for this Amendment can be found throughout the Specification as originally filed and at least on page 17, line 8 to page 18, line 5 and in figure 1.

II. Response to Objections

The Examiner objected to claim 1 for minor informalities.

In response to the objection, Applicant has amended claim 1 as shown above and respectfully requests that the objection now be withdrawn.

The Examiner objected to figures 3 and 4, requesting figures 3 and 4 be labeled as “prior art”. Applicant has amended figures 3 and 4 to include the label “prior art”.

In view of the above, Applicant respectfully requests the objection to figures 3 and 4 now be withdrawn.

III. Response to Rejections Under 35 U.S.C. §101

Claims 11 and 12 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter.

In response to the rejection, Applicant has amended claims 11 and 12 for further clarification to recite “computer readable medium” as suggested by the Examiner.

In view of the above, Applicant respectfully requests the rejection of claims 11 and 12 under 35 U.S.C. §101 now be withdrawn.

IV. Response to Rejections Under 35 U.S.C. §102

Claims 1-12 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,831,676 to Takahashi, et al. (hereafter, “Takahashi”).

Applicant submits that the present invention, in at least one embodiment, is directed to compensating a light amount loss caused by mechanical shutter operation (e.g., specification page 7, lines 6-20). A reason for controlling the compensation amount based on an image sensing mode or image sensing condition is that, for example, if a slow shutter speed is

automatically selected in order to obtain a proper exposure while a user has selected a high shutter speed in a shutter speed priority mode, an obtained image may not be satisfactory to the user (e.g., when sensing an object moving at high speed, the captured image will be blurred) (page 10, lines 7-13). Furthermore, if a high film speed is automatically selected in order to obtain a proper exposure while a user selects a low film speed in a film speed priority mode, an obtained image may not be satisfactory to the user (e.g., an image with low S/N ratio will be obtained) (page 10, lines 13-19).

Takahashi discloses an AGC circuit 5, a CCD device 12 and an iris device circuit 14. The device as taught by Takahashi controls these circuits to adjust exposure in accordance with the luminance information of the light metering area specifically set in the image frame. Takahashi does not teach or suggest calculating a loss in exposure caused by operation of the light-shielding unit (i.e. mechanical shutter) and compensating for this loss.

Nonetheless, independent claim 1 has been amended for further clarification. Amended claim 1 recites *inter alia*, “an exposure amount loss calculation unit that calculates a loss in exposure amount for said image sensing element caused by operation of said light-shielding unit, a plurality of compensation units that compensate the loss calculated by said exposure amount loss calculation unit...and a compensation control unit that controls a compensation amount for each compensation unit based on the loss calculated by said calculation unit in accordance with the at least one of the image sensing mode and the image sensing condition that is set by said setting unit.” Independent claims 9 and 10 have been amended to recite similar features to amended claim 1 as described herein.

According to the claimed invention, the exposure amount loss calculation unit calculates a loss in exposure amount for the image sensing element caused by operation of the light-shielding unit. Processes subsequent to this calculation for compensating the exposure loss are performed based on this calculated loss. The loss in exposure amount calculated by the exposure amount loss calculation unit is compensated in accordance with at least one of the image sensing mode and the image sensing condition that is set by the setting unit.

Applicant respectfully submits that Takahashi does not teach or suggest at least “an exposure amount loss calculation unit that calculates a loss in exposure amount for said image sensing element caused by operation of said light-shielding unit”, as required by claim 1.

In view of the above, independent claim 1 is believed distinguishable over Takahashi for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1, 9 and 10 under 35 U.S.C. §102(b) is respectfully requested.

Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend either directly or indirectly, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

Applicant believes that the application is in condition for allowance and such action is respectfully requested.

CONCLUSION

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

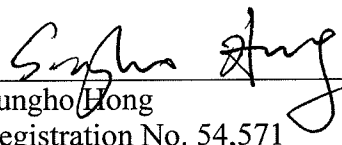
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. **1232-5217**. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No **13-4500**, Order No. **1232-5217**. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
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Dated: October 10, 2007

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CONCLUSION

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

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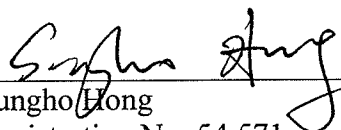
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